

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MITCH HALL

§

VS.

§

CIVIL ACTION NO. 1:13cv233

BETTY SHYNETT

§

ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Mitch Hall, an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed the above-styled civil rights lawsuit against Betty Shynett, Lisa Wood and Robert H. Kane. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this Court.

Plaintiff has filed a motion asking that a default judgment be entered against defendants Shynett and Wood (doc. no. 20). The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this motion. The Magistrate Judge recommends the motion be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion that the objections are without merit. The Magistrate Judge correctly concluded that defendants Shynett and Hall are not in default in this matter and that the answer they filed complied with the requirements of Federal Rule of Civil Procedure 8.

ORDER

Accordingly, the objections filed by plaintiff to the Report and Recommendation are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and

the report of the Magistrate Judge is **ADOPTED** as the opinion of the court. Plaintiff's motion for a default judgment is **DENIED**.

So **ORDERED** and **SIGNED** this **29** day of **July, 2014**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge